

IAP10 Rec'd PCT/PTO 08 DEC 2005

FORM PTO-1390 (Modified)
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(REV 12-2004)

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 063137-0103 U.S. APPLICATION NO. (If known, see 37 CFR 1.15) 10/560050 Unassigned
INTERNATIONAL APPLICATION NO. PCT/JP2004/006910	INTERNATIONAL FILING DATE 05/14/2004	PRIORITY DATE CLAIMED 06/11/2003
TITLE OF INVENTION INHALATION TYPE MEDICATION APPARATUS		
APPLICANT(S) FOR DO/EO/US Hisatomo OHKI; Shigemi NAKAMURA; Kazunori ISHIZEKI and Akira YANAGAWA		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern other document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

FORM PTO-1390 (Modified)

IAP9 Rec'd PCT/PTO 08 DEC 2005

U.S. APPLICATION NO. (If known, see 37 CFR. 1.5) Unassigned 107560050		INTERNATIONAL APPLICATION NO. PCT/JP2004/006910		ATTORNEY'S DOCKET NUMBER 063137-0103																																																																																											
<p>The following fees have been submitted:</p> <table border="1"> <tr> <td>21. <input checked="" type="checkbox"/> Basic national fee</td> <td>\$300</td> <td>\$ 300.00</td> <td></td> </tr> <tr> <td>22. <input checked="" type="checkbox"/> Examination fee</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2">If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)</td> <td>\$100</td> <td>\$ 200.00</td> </tr> <tr> <td colspan="2">All other situations</td> <td>\$200</td> <td></td> </tr> <tr> <td colspan="2">23. <input checked="" type="checkbox"/> Search fee</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority</td> <td>\$100</td> <td></td> </tr> <tr> <td colspan="2">International Search Report prepared and provided to the Office</td> <td>\$400</td> <td></td> </tr> <tr> <td colspan="2">All other situations</td> <td>\$500</td> <td>\$ 400.00</td> </tr> <tr> <td colspan="2">TOTAL OF ABOVE 21, 22 and 23 =</td> <td>\$ 900.00</td> <td></td> </tr> </table> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.</p> <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra sheets</th> <th>Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>38 - 100 = 0</td> <td>/50 =</td> <td>0</td> <td>x \$250.00</td> </tr> </tbody> </table> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))</p> <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>5</td> <td>- 20 = 0</td> <td>x \$ 50.00</td> <td>\$ 0.00</td> </tr> <tr> <td>Independent Claims</td> <td>1</td> <td>- 3 = 0</td> <td>x \$ 200.00</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$ 360.00</td> <td>\$</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 900.00</td> </tr> </tbody> </table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.</p> <table border="1"> <thead> <tr> <th colspan="2">SUBTOTAL =</th> <th>\$ 900.00</th> </tr> </thead> <tbody> <tr> <td colspan="2">Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> <td>\$</td> </tr> <tr> <td colspan="2">TOTAL NATIONAL FEE =</td> <td>\$ 900.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property</td> <td>\$ 40.00</td> </tr> <tr> <td colspan="2">TOTAL FEES ENCLOSED =</td> <td>\$ 940.00</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be refunded:</td> </tr> <tr> <td colspan="2"></td> <td>charged:</td> </tr> </tbody> </table>						21. <input checked="" type="checkbox"/> Basic national fee	\$300	\$ 300.00		22. <input checked="" type="checkbox"/> Examination fee				If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100	\$ 200.00	All other situations		\$200		23. <input checked="" type="checkbox"/> Search fee				Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100		International Search Report prepared and provided to the Office		\$400		All other situations		\$500	\$ 400.00	TOTAL OF ABOVE 21, 22 and 23 =		\$ 900.00		Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	38 - 100 = 0	/50 =	0	x \$250.00	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total Claims	5	- 20 = 0	x \$ 50.00	\$ 0.00	Independent Claims	1	- 3 = 0	x \$ 200.00	\$ 0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00	\$	TOTAL OF ABOVE CALCULATIONS =				\$ 900.00	SUBTOTAL =		\$ 900.00	Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$	TOTAL NATIONAL FEE =		\$ 900.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property		\$ 40.00	TOTAL FEES ENCLOSED =		\$ 940.00			Amount to be refunded:			charged:
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<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$940.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>																																																																																															
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Foley & Lardner LLP Customer Number: 22428</p> <p>SIGNATURE <u>34371</u> <u>Pavan K. Agarwal</u></p> <p>NAME _____ <u>Glenn Law</u></p> <p>40,888</p> <p>REGISTRATION NUMBER _____</p>																																																																																															